

EXHIBIT 2

11/04/2024 13:27:52

CL-2023-0015318

Christopher J. Falcon
CLERK, CIRCUIT COURT
FAIRFAX, VA

**AFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH**

Commonwealth of Virginia V.A. CODE §§ 8.01-301, -310, -329; 55-218.1; 57-51

Case No. CL-2023-0015318

Fairfax County Circuit Court

Surge Transportation Inc.

v.

Direct Connect Logistix Inc., et al.

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: Summons and Complaint Notice

I, the undersigned Affiant, state under oath that

the above-named defendant

whose last known address is same as above Corporation Service Company, 135 North Pennsylvania St., Ste 1610, Indianapolis, IN 46204

1. is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on page 2).

2. is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT ON BACK)

[redacted] is the hearing date and time on the attached process or notice (if applicable).

10/16/2024

DATE

PARTY PARTY'S ATTORNEY PARTY'S AGENT PARTY'S REGULAR AND BONA FIDE EMPLOYEE

State of Virginia City County of Fairfax

Acknowledged, subscribed and sworn to before me this day by Allison P. Klein

PRINT NAME OF SIGNATORY

ALLISON P. KLEIN
NOTARY PUBLIC
REGISTRATION # 104896

COMMONWEALTH OF VIRGINIA

CLERK MAGISTRATE NOTARY PUBLIC

Notary Registration No. 104896 My commission expires: 01/31/2027

MY COMMISSION EXPIRES 01/31/2027
I, the undersigned Clerk in the Office of the Secretary of the Commonwealth, declare that the date of filing of the certificate of compliance is requested. A self-addressed stamped envelope was provided to the clerk at the time of filing this Affidavit.

NOTICE TO THE RECIPIENT from the Office of the Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE WHEN SERVICE IS MADE ON THE SECRETARY OF THE COMMONWEALTH.

CERTIFICATE OF COMPLIANCE

I, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

OCT 25 2024

1. On legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.

2. On OCT 30 2024, papers described in the Affidavit and a copy of this Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

Christopher J. Falcon
SERVICE OF PROCESS CLERK, DESIGNATED
BY THE AUTHORITY OF THE SECRETARY OF THE COMMONWEALTH

NON-RESIDENCE GROUNDS REQUIREMENT:

If box number 1 is checked, insert the appropriate subsection number:

A court may exercise personal jurisdiction over a person, who acts directly or by an agent, as to a cause of action arising from the person's:

1. Transacting any business in this Commonwealth;
2. Contracting to supply services or things in this Commonwealth;
3. Causing tortious injury by an act or omission in this Commonwealth;
4. Causing tortious injury in this Commonwealth by an act or omission outside this Commonwealth if he regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
5. Causing injury in this Commonwealth to any person by breach of warranty expressly or impliedly made in the sale of goods outside this Commonwealth when he might reasonably have expected such person to use, consume, or be affected by the goods in this Commonwealth, provided that he also regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
6. Having an interest in, using, or possessing real property in this Commonwealth;
7. Contracting to insure any person, property, or risk located within this Commonwealth at the time of contracting;

8(ii). Having been ordered to pay spousal support or child support pursuant to an order entered by any court of competent jurisdiction in this Commonwealth having *in personam* jurisdiction over such person; or

10. Having incurred a liability for taxes, fines, penalties, interest, or other charges to any political subdivision of the Commonwealth.

DUE DILIGENCE REQUIREMENT:

If box number 2 is checked, the following provision applies:

When the person to be served is a resident, the signature of an attorney, party or agent of the person seeking service on such affidavit shall constitute a certificate by him that process has been delivered to the sheriff or to a disinterested person as permitted by § 8.01-293 for execution and, if the sheriff or disinterested person was unable to execute such service, that the person seeking service has been unable, after exercising due diligence, to locate the person to be served.

SPS

COMMONWEALTH OF VIRGINIA
CIRCUIT COURT OF FAIRFAX COUNTY
4110 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030
703-691-7320
(Press 3, Press 1)

Surge Transportation Inc vs. Direct Connect Logistix Inc et al.

CL-2023-0015318

TO: Direct Connect Logistix Inc
c/o Kelly Gee
Secretary of the Commonwealth
PO Box 1475
Richmond VA 23218

SUMMONS – CIVIL ACTION

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the Clerk's office of this Court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment or decree against such party either by default or after hearing evidence.

APPEARANCE IN PERSON IS NOT REQUIRED BY THIS SUMMONS.

Done in the name of the Commonwealth of Virginia, on October 22, 2024.

CHRISTOPHER J. FALCON, CLERK

By: Christopher J. Falcon
Deputy Clerk

Plaintiff's Attorney: Wayne G. Travell

SPS

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

PROOF OF SERVICE

Surge Transportation Inc
Plaintiff

VS

Direct Connect Logistix Inc et al.
Defendant

CL-2023-0015318

Doc type: Summons/Complaint

Serve: Direct Connect Logistix Inc

STATE OF _____

CITY/COUNTY OF _____, to wit:

This day _____

personally appeared before the undersigned Notary Public in and for the City/County and State aforesaid, and, having been first duly sworn according to law, deposes and states as follows: that he/she is not a party to, or otherwise interested in, the subject matter in controversy in the within cause, that he/she is over the age of 18 years; that on the _____ day of _____, 20____, at

_____ o'clock _____.m. he/she served the within Complaint, in person, on the Defendant

_____ at _____

_____ and the Defendant is / is not a

resident of the State of Virginia.

_____ AFFIANT

TITLE

Subscribed and sworn to before me in my City/County and State aforesaid, this

_____ day of _____, 20_____.

Notary ID #: _____

_____ NOTARY PUBLIC

My Commission expires: _____

11/04/2024 13:32:55

CL-2023-0015318

Christopher J. Falcon
CLERK, CIRCUIT COURT
FAIRFAX, VAAFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH

Commonwealth of Virginia VA. CODE §§ 8.01-301, -310, -329; 55-218.1; 57-51

Case No. CL-2023-0015318

Fairfax County Circuit Court

Surge Transportation Inc.

Direct Connect Logistix Inc., et al.

v.

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: Summons and Complaint Notice

I, the undersigned Affiant, state under oath that

the above-named defendant Matthew R. May
 whose last known address is same as above 5379 Glenview Drive, Clarence, NY 14031

- is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on page 2).
- is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT ON BACK)

[redacted] is the hearing date and time on the attached process or notice (if applicable).

10/16/2024

DATE

 PARTY PARTY'S ATTORNEY PARTY'S AGENT PARTY'S REGULAR AND BONA FIDE EMPLOYEEState of Virginia City County of Fairfax

Acknowledged, subscribed and sworn to before me this day by

Allison P. Klein

PRINT NAME OF SIGNATORY

NICOLE E. DYSART

NOTARY PUBLIC

REGISTRATION # 104896

COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES 01/31/2027

 CLERK MAGISTRATE NOTARY PUBLICNotary Registration No. 104896My commission expires: 01/31/2027

Verification by the clerk of court of the date of filing of the certificate of compliance is requested. A self-addressed stamped envelope was provided to the clerk at the time of filing this Affidavit.

NOTICE TO THE RECIPIENT from the Office of the Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

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OCT 25 20241. On , legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.2. On OCT 30 2024 , papers described in the Affidavit and a copy of this Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.SERVICE OF PROCESS CLERK, DESIGNATED
BY THE AUTHORITY OF THE SECRETARY OF THE COMMONWEALTH

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1. Transacting any business in this Commonwealth;
2. Contracting to supply services or things in this Commonwealth;
3. Causing tortious injury by an act or omission in this Commonwealth;
4. Causing tortious injury in this Commonwealth by an act or omission outside this Commonwealth if he regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
5. Causing injury in this Commonwealth to any person by breach of warranty expressly or impliedly made in the sale of goods outside this Commonwealth when he might reasonably have expected such person to use, consume, or be affected by the goods in this Commonwealth, provided that he also regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
6. Having an interest in, using, or possessing real property in this Commonwealth;
7. Contracting to insure any person, property, or risk located within this Commonwealth at the time of contracting;

8(ii). Having been ordered to pay spousal support or child support pursuant to an order entered by any court of competent jurisdiction in this Commonwealth having *in personam* jurisdiction over such person; or

10. Having incurred a liability for taxes, fines, penalties, interest, or other charges to any political subdivision of the Commonwealth.

DUE DILIGENCE REQUIREMENT:

If box number 2 is checked, the following provision applies:

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SPS

COMMONWEALTH OF VIRGINIA
CIRCUIT COURT OF FAIRFAX COUNTY
4110 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030
703-691-7320
(Press 3, Press 1)

Surge Transportation Inc vs. Direct Connect Logistix Inc et al.

CL-2023-0015318

TO: Matthew R May
5379 Glenview Drive
Clarence NY 14031

SUMMONS – CIVIL ACTION

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the Clerk's office of this Court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment or decree against such party either by default or after hearing evidence.

APPEARANCE IN PERSON IS NOT REQUIRED BY THIS SUMMONS.

Done in the name of the Commonwealth of Virginia, on October 22, 2024.

CHRISTOPHER J. FALCON, CLERK

By: Christopher J. Falcon
Deputy Clerk

Plaintiff's Attorney: Wayne G. Travell

SPS

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

PROOF OF SERVICE

Surge Transportation Inc
Plaintiff

VS

Direct Connect Logistix Inc et al.
Defendant

CL-2023-0015318

Doc type: Summons/Complaint
Serve: Matthew R May

STATE OF _____

CITY/COUNTY OF _____, to wit:

This day _____

personally appeared before the undersigned Notary Public in and for the City/County and State aforesaid, and, having been first duly sworn according to law, deposes and states as follows: that he/she is not a party to, or otherwise interested in, the subject matter in controversy in the within cause, that he/she is over the age of 18 years; that on the _____ day of _____, 20____, at

_____ o'clock _____.m. he/she served the within Complaint, in person, on the Defendant
_____ at _____

_____ and the Defendant is / is not a
resident of the State of Virginia.

AFFIANT

TITLE

Subscribed and sworn to before me in my City/County and State aforesaid, this

_____ day of _____, 20_____.

Notary ID #: _____

NOTARY PUBLIC

My Commission expires: _____